

Senate Bill 167

In The Senate

January 17, 1981	Introduced and referred to Committee on Local Government.
February 23, 1981	Committee recommend bill do not pass.

1 *Spitzer* BILL NO. *167* *Elliott*
 2 INTRODUCED BY *Hayes, Hofferman* *Kearns*
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE METHOD OF
 5 ESTABLISHING SALARIES FOR COUNTY ELECTED OFFICIALS AND
 6 DEPUTY OR ASSISTANT COUNTY OFFICIALS BY PROVIDING THAT THE
 7 SALARIES BE DETERMINED BY THE COUNTY GOVERNING BODY;
 8 AMENDING SECTIONS 7-4-2108, 7-14-2610, AND 7-32-104, MCA;
 9 AND REPEALING SECTIONS 7-4-2107 AND 7-4-2503 THROUGH
 10 7-4-2505, MCA."
 11

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 NEW SECTION. Section 1. County governing body to set
 14 salaries -- increases to be uniform. (1) The governing body
 15 of a county must annually establish the salary of each
 16 elected county official and each deputy or assistant county
 17 official by adopting a resolution. This resolution must be
 18 adopted no later than March 31.

19 (2) The salaries established as provided in subsection
 20 (1) are effective July 1 of each year.

21 (3) The salary of an elected official or a deputy or
 22 assistant county official may not be reduced from the level
 23 of compensation authorized for that position on [the
 24 effective date of this act] and may be increased subject to
 25 the requirements of subsection (4).

1 (4) If the governing body decides to raise the
 2 salaries of county elected officials and deputy or assistant
 3 county officials, the governing body must set the salaries
 4 of all county officers and deputies or assistants using the
 5 same factor for all county salaries in a uniform manner that
 6 will insure that the relative relationship between and among
 7 salaries remains the same as the level of compensation
 8 authorized on [the effective date of this act]. The ratio of
 9 the current salaries, one to another, must remain the same
 10 as the ratio of the salaries prior to the increase
 11 authorized by the governing body.

12 NEW SECTION. Section 2. Public hearing and notice
 13 required. Before the governing body may establish salaries
 14 for county elected officials and deputy or assistant county
 15 officials, the governing body must hold a public hearing.
 16 Notice of the purpose of the public hearing must be
 17 published in a newspaper of general circulation in the
 18 county at least once a week for the 2 successive weeks
 19 before the public hearing.

20 Section 3. Section 7-4-2108, MCA, is amended to read:
 21 "7-4-2108. Mileage allowance for county commissioners
 22 -- expenses. (1) In addition to the salary provided by
 23 ~~7-4-2107(1)~~ [section 1], each member of the board of county
 24 commissioners in counties of the first, second, third, and
 25 fourth class shall receive a mileage allowance as provided

1 in 2-18-503 for the distance necessarily traveled in going
2 to and returning from the county seat and his place of
3 residence, each day that such trip is actually made and
4 while engaged in the performance of his official duties.

5 (2) Each member of the board in all other counties is
6 entitled to a mileage allowance as provided in 2-18-503 for
7 the distance necessarily traveled in going to and returning
8 from the county seat and his place of residence each day
9 that such trip is actually made to perform official duties.
10 Any county commissioner whose place of residence is 50 miles
11 or more from the county seat, as measured by the usual route
12 of travel, and who elects to remain more than one day in the
13 county seat to attend sessions of the board or perform his
14 official duties is entitled to receive, in addition to
15 mileage for one round trip between his place of residence
16 and the county seat, \$18 per day as expenses for each day's
17 attendance on sessions of the board while engaged in the
18 performance of his official duties.

19 (3) All claims for lodging expense reimbursement
20 allowed under this section must be documented by an
21 appropriate receipt.

22 (4) When other than commercial, nonreceiptable lodging
23 facilities are utilized by a county commissioner, the amount
24 of \$7 will be authorized for lodging expenses for each day
25 in which travel involves an overnight stay in lieu of the

1 amount authorized in this section. However, when overnight
2 accommodations are provided at the expense of any government
3 entity, no reimbursement may be claimed for lodging.

4 (5) This section does not apply to counties that have
5 adopted charter form of government."

6 Section 4. Section 7-14-2610, MCA, is amended to read:
7 "7-14-2610. Payment of damages and expenses. All
8 awards of damages estimated by the board or made by the
9 proper court and all expenses, including those of the
10 members of the board and their per diem authorized by
11 ~~7-4-2107~~ and 7-4-2109, shall be paid out of the county road
12 fund on the order of the board."

13 Section 5. Section 7-32-104, MCA, is amended to read:
14 "7-32-104. Salaries. The provisions of ~~7-4-2503~~
15 [sections 1 and 2] notwithstanding, the salaries of the
16 director and employees of the department of public safety
17 shall be established by the public safety commission and
18 shall be paid by the city or town with the board of county
19 commissioners. Said salaries in any event shall not be less
20 than those ~~specified in 7-4-2503~~ determined pursuant to
21 [sections 1 and 2]."

22 Section 6. Repealer. Sections 7-4-2107 and 7-4-2503
23 through 7-4-2505, MCA, are repealed.

24 Section 7. Codification. Sections 1 and 2 are intended
25 to be codified as an integral part of Title 7, chapter 4,

LC 0933/01

1 and the provisions contained in Title 7 apply to sections 1
2 and 2.

-End-

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